

Remarks

In light of the Office Action of September 12, 2003, the subject application has been amended as indicated. In summary, independent claims 1, 11, 45, 47, and 48 have been amended as discussed below, and claim 20, 47 and 49 has been deleted.

a. Claim Rejections based on 35 USC § 102(b)

Claims 1-3, 11, 14, 15, 18-22, 25-28, 47 and 48 were rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 3938217 to Hommes.

Claim 1 has been amended to include a debris receptacle as claimed in independent claim 35 (which was found allowable on its own). Hommes does not disclose a debris receptacle as claimed and as such, Hommes does not anticipate claim 1 as amended and claims 2-4 which depend from claim 1. Consequently, the applicant respectfully asserts that claims 1, 2-4 are now allowable over the cited prior art.

Claim 11 has been amended to include a second front skirt and a side skirt positioned in between the first and second front skirts, the side skirt also capable of adjusting its position in response to the movement of the first front skirt. Hommes does not disclose a side skirt as claimed, and as such, Hommes does not anticipate claim 11 as currently amended and claims 12-28 which depend on claim 11.

As amended, claim 48 now includes a main chamber having a substantially curvilinear interior surface and a front skirt selectively movable between a first position and a second position. It is respectfully asserted that Hommes does not disclose this combination of features. Consequently, the applicant respectfully asserts that claim 48 is now allowable over the cited prior art.

b. Claim Rejections based on 35 USC § 103(a)

Claim 45 was rejected under 35 USC § 103(a) as being anticipated by U.S. Patent No. 3938217 to Hommes in light of U.S. Patent No. 4807327 to Jajko.

As amended, claim 45 now includes a main chamber having a substantially curvilinear interior surface and a front skirt selectively movable between a first position and a second position. Neither Hommes or Jajko, either separately or in combination discloses both features. Consequently, the applicant respectfully asserts that claims 45 and 46 (which depends from 45) are now allowable over the cited prior art.

c. Allowable Subject Matter

Claims 5-10 and 29-44 were found allowable.

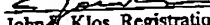
Conclusion

Applicant respectfully submits that, as amended, the subject application is in condition for allowance, and allowance thereof is kindly requested. Should the Examiner wish to discuss these claims further, or should an Examiner's Amendment be needed in order for the claims to proceed to allowance, the Examiner is invited to contact the Undersigned attorney at the Examiner's earliest convenience.

Please direct any questions or comments regarding this application to John F. Klos at (612) 321-2806.

Respectfully submitted,  
Tennant Company, by its attorneys

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